



PATENT

Attorney Docket 054160-5012-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Toshikazu Hamamoto *et al.*** )  
 )  
Application No. **10/731,633** ) Group Art Unit: **1745**  
 )  
Filed: **December 9, 2003** ) Examiner: **Unassigned**  
 )  
For: **Non-Aqueous Electrolyte and Lithium** )  
**Secondary Battery Using the Same** )

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

**TRANSMITTAL FORM**

- Transmitted herewith is a Second Preliminary Amendment.
- Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an extension of time, please consider this a Petition therefor. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. § 1.16 and § 1.17, or credit any overpayment to Deposit Account 50-0310.
- Fee Calculation (37 C.F.R. § 1.16):

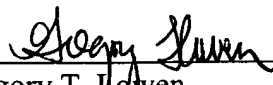
CLAIMS AS AMENDED						
	Claims Remaining		Previously Paid	Extra	at Rate of	Total Fees
Total Claims	17	minus	20	0	at \$18 each =	0.00
Independent Claims	2	minus	3	0	at \$86 each =	0.00
First presentation of Multiple dependent claim					\$290.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$0.00

- Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and § 1.17

which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **June 22, 2004**  
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Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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LITHIUM SECONDARY BATTERY )  
USING THE SAME )

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Date: June 22, 2004

Sir:

**SECOND PRELIMINARY AMENDMENT**

Prior to examination of the above-referenced application on the merits, please amend the subject application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 7 of this paper.